

REMARKS

Claims 1-37 are currently pending in the application. Claims 1-37 were rejected. Claims 1, 19 and 23 have been amended.

The Examiner rejected claims 1-7, 9, 11-15, 19-24, 27, 30-32, 34, and 36-37 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,547,664 (Saunders). The Examiner also rejected claims 8, 10, 16-18, 25, 26, 28, 29, 33, and 35 under 35 U.S.C. 103(a) as being unpatentable over Saunders in view of various other references. Claims 1, 19, and 23 have been amended, and the rejection is respectfully traversed.

The Applicants disagree with the Examiner's interpretation of the Saunders reference and incorporate by reference the arguments presented in the previous response. However, notwithstanding the Applicants' belief that rejected claims are allowable over Saunders, clarifying amendments to the claims are presented herein for the purpose of moving prosecution forward, and not for any reason related to patentability.

As discussed in previous responses, Saunders describes a cashless gaming system in which printed tickets are employed having coded values, e.g., bar codes, printed thereon indicating the ticket value. The portion of the specification beginning at column 7, line 34, specifically identifies the kind of information which may be encoded on such a ticket including the cash-in value, the player name or ID, a PIN number, and a ticket number (see lines 44-52). At no place in the reference is there described a promotional device "having machine-readable information encoded therein" which "both identifies the indicia of game-specific credit *and* relates the game-specific credit to the specific game" as recited in amended claim 1. Support for this amendment may be found, for example, on page 14 of the present application.

Given the generic nature of the credit described in Saunders, the information encoded on the ticket clearly does not identify a specific game in a form which is "machine-readable." Nor does the encode information on Saunders ticket relate "the game-specific credit to the specific

game.” Rather, it is clear from Saunders that the coded value on the printed tickets may be used indiscriminately on other gaming machines without regard to specific gaming applications as long as the card still has a cash-in value. Even assuming that the Examiner’s interpretation and application of the reference is appropriate (a point the Applicants are not willing to concede), the encoded information in Saunders does not relate a game-specific credit to a specific game. The rejection of claim 1 over Saunders is therefore believed overcome.

The gaming machine and the method for operating a gaming machine of claims 19 and 23 have also been amended to more clearly recite that the information encoded on the promotional device is “machine-readable information which both identifies “the indicia of game-specific credit” and relates “the game-specific credit to the specific game.” The rejection of these claims is therefore believed overcome for at least the reasons discussed above with reference to claim 1. In addition, the rejection of dependent claims 2-18, 20-22, and 24-37 are also believed overcome for at least the reasons discussed.

The Examiner rejected claims 1-3, 5, 6, 12, 13, 17, 19, 20-22, 23-25, 27 and 36 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,080,364 (Seidman). Claims 1, 19 and 23 have been amended as described above, and the rejection is respectfully traversed.

The Applicants disagree with the Examiner’s interpretation of the Seidman reference and incorporate by reference the arguments presented in the previous response. However, notwithstanding the Applicants’ belief that rejected claims are allowable over Seidman, clarifying amendments to the claims are presented herein for the purpose of moving prosecution forward, and not for any reason related to patentability.

Seidman describes a promotional game in which prizes are automatically awarded upon presentation of tokens bearing certain codes (Abstract). When a patron presents a token, the system tests for the presence of predetermined winning codes, each of which is associated with a separate prize pool (col. 5, lines 31-36). Patrons presenting tokens with such winning codes may

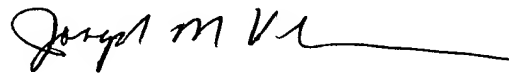
be randomly assigned a prize (Summary).

Seidman does not teach encoded information on its tokens which both "identifies the indicia of game-specific credit and relates the game-specific credit to the specific game."

Therefore, it cannot be said to anticipate any of claims 1-37.

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (510) 843-6200.

Respectfully submitted,
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A handwritten signature in black ink, appearing to read "Joseph M. Villeneuve", followed by a long horizontal line.

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